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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 07-00745 JF
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER EXCLUDING TIME FROM
v.	)	JANUARY 30, 2008 TO FEBRUARY 6,
	)	2008 FROM THE SPEEDY TRIAL ACT
JOSE TORRES-CALDERON,	)	CALCULATION (18 U.S.C. §
	)	3161(h)(8)(A))
Defendant.	)	
	)	
	)	

The parties stipulate that the time between January 30, 2008 and February 6, 2008 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in light of the defendant's pending motion for new counsel.

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DATED: January 30, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/  
BENJAMIN T. KENNEDY  
Assistant United States Attorney

/s/  
CYNTHIA LIE  
Assistant Federal Public Defender

**ORDER**

Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY ORDERS that the time between January 30, 2008 and February 6, 2008 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in light of the defendant's pending motion for new counsel. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A).

IT IS SO ORDERED.

DATED: ~~2/5/06~~ 2/5/08

  
JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE